

3. On July 21, 2023, this Court granted a second joint motion to move the deadline to file dispositive motions to August 2, 2023. (ECF No. 145.)

4. Based on the decision in *Falls v. Goins*, the Division of Elections determined that it was necessary to revise its policies and procedures for the restoration of voting rights for individuals with felony convictions. (ECF No. 151-1.) On July 21, 2023, the Division of Elections issued revised guidance on the Certificate of Restoration process. (*Id.*) At the same time, the Division of Elections announced policy revisions for the processing of voter registration applications for individuals with felony convictions prior to January 15, 1973, and for individuals with felony convictions between January 15, 1973, and May 17, 1981. (*Id.*)

5. On August 2, 2023, both parties filed a motion for summary judgment. (ECF Nos. 150, 151, 152, 153, 154, 155.)

6. On August 14, 2023, this Court extended Plaintiffs' deadline for responding to Defendants' motion for summary judgment to September 22, 2023. (ECF No. 164, at PageID# 2774.) In its order, this Court noted that it would "consider granting Defendants an extension of time to respond to Plaintiffs' partial motion for summary judgment upon filing of a properly supported motion requesting the same." (*Id.*) This Court also noted that the parties were apparently in agreement as to the necessity of a continuance of the trial date. (*Id.*)

7. Good cause exists to grant Defendants' request. This case involves complex legal issues and requires significant time when preparing substantive legal arguments for a response to a dispositive motion. Counsel for Defendants are engaged in numerous cases and cannot focus solely on drafting a response to Plaintiffs' motion. Thus, additional time is needed to prepare a response to Plaintiffs' motion for summary judgment. Assistant Attorney General Zachary Barker is engaged in settlement negotiations for a different federal case, he is responsible for multiple

state court matters, and he continues to represent Tennessee wardens in numerous federal habeas corpus cases. Senior Assistant Attorney General David Rudolph has recently entered an appearance in the case and is still in the process of getting up to speed on the factual and legal issues. Senior Counsel Dawn Jordan is currently in a federal trial, and she has impending deadlines for an appellate brief in the Tennessee Court of Appeals, a response to a motion for preliminary injunction in federal court, proposed findings of fact and conclusions of law in a state court case, proposed findings of fact and conclusions of law in a federal court case, and written discovery in other cases. While Deputy Attorney General Andrew Coulam oversees the work on this matter, he is responsible for supervising the work on all cases in the Public Interest Division at the Office of the Tennessee Attorney General, and he is unable to devote significant time to drafting a response to the motion for summary judgment. Moreover, judicial economy and equity are good cause for granting this extension. This extension will align the response deadlines for dispositive motions for both parties. Rather than sorting through staggered deadlines, this extension will allow uniform resolution of dispositive motions in this case.

8. Defendants' respectfully request an extension of thirty (30) days of time from the August 23, 2023 deadline to respond to Plaintiffs' motion for summary judgment, resulting in a new deadline of **September 22, 2023**.

9. Defendants do not move for this extension for an improper purpose, and an extension should not prejudice Plaintiffs.

10. In accordance with this Court's expectation about a continuance of the trial date, (*See* ECF No. 164, at PageID# 2774), Counsel for Defendants have initiated a conversation with counsel for Plaintiffs about proposed trial dates and a joint motion for a continuance of trial.

11. Defendants have conferred with counsel for Plaintiffs regarding this motion in accordance with Local Rule 7.01(a)(1). Plaintiffs take no position on this motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that the foregoing Motion was filed electronically on August 15, 2023. On the same date, a copy was also sent by operation of the court's PACER/ECF system to Petitioner's counsel:

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